

REMARKS

This application has been carefully reviewed in view of the above-referenced Office Action in which new grounds for rejection have been presented. Reconsideration is requested in view of the following remarks.

Regarding the cited art in general

The Uomini reference of record relates to a system and method for obtaining message context information from an email message received by a recipient. The Syroid et al reference relates to the Outlook email application and the tools that may be employed by a user to compose and send email messages. The Enns et al reference relates to products for using a mobile device to compose an electronic message by adding audio content to the message. The Fritsch reference of record relates to the distribution of musical products by a web site vendor over the Internet. The Kang reference relates to a digital download service where users may log onto the site and order and pay for digitally downloaded content.

Regarding all Prior Art Rejections

By way of review, claims 9-15, 17-23, 31-25 and 42-51 are currently pending. Claims 9, 17, 31, 42, and 47 are amended, the amendments finding support in the first paragraph on page 14 of the as filed specification. Claims 1-8, 16, 24-30, 36-41 and 52-54 are canceled. The present action now rejects claims 9-15, 17-23, 31-25 and 42-51.

Regarding the Rejections under 35 U.S.C. §103

Claims 9, 10, 17, 18, 42, and 43 are rejected under 35 USC 103(a) as being unpatentable over Uomini (US Patent No. 6,018,761, hereinafter "Richards") in view of Syroid et al ("Outlook 2000 in a Nutshell", hereinafter "Syroid") in further view of Enns et al (US Patent No. 7,082,298, hereinafter "Enns"). Claims 11, 13, 14, 19, 21, 22, 31-35 and 44-51 are rejected under the combination of Uomini, Syroid and Enns in further view of Fritsch (US Patent No. 6,233,682). Claims 12, 15, 20, 23 and 27 are rejected under the combination of Uomini, Syroid,

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Enns and Fritsch in further view of Kang (US Patent Publication 2001/0051925). These rejections are respectfully traversed.

Regarding claims 9, 17 and 42, the claims have been amended to recite a default footer within an enterprise email server, said footer comprising at least a text portion and said default audio sample and sending the electronic mail message along with the predefined default footer to the recipient from an enterprise email application program (to paraphrase without intent of limitation). Support for the amendments is found on page 13, paragraph 2, and page 14, paragraph 1 of the as filed specification. In order to establish *prima facie* obviousness, the Office Action must establish the presence of each claim feature of in the cited art and provide articulated reasoning with rational underpinning for the obviousness of the combination of claim features and their interrelationship. The Office Action appears to assert that the combination of the Uomini, Syroid and Enns references teaches these features, however, they do not.

Uomini discloses a method of receiving a transmitted email message with an attachment that may contain an audio sample. However, there is no disclosure within Uomini for an enterprise wide establishment of a default footer that contains both a text portion and a default audio sample that is then appended to each and every email message that is sent by the enterprise email application program. The enterprise email server is responsible for managing the dissemination of email messages that contain content of interest to the enterprise which the enterprise wishes to communicate with all outside email recipients. Therefore, all email messages that are generated within the enterprise are passed through the enterprise server prior to being sent external to the enterprise email server, where the enterprise email server then attaches a pre-defined footer containing at least the text and predefined audio sample that the enterprise wishes to disseminate to the world. This is very different than the disclosure in Uomini, where a received email message from an individual may be parsed for context from within an email message.

Syroid does not remedy this lack. The Syroid reference is a toolkit that describes all of the functions for using Outlook 2000, the email application program. There is no disclosure within the Syroid description of a signature file that may be appended by a user prior to sending

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an email message. The enterprise email server, again as claimed above, receives the email messages prior to transmission external to the enterprise email server and appends the prepared default footer after any signature file on each individual email message.

Enns does not remedy the lack in Uomini and Syroid. Enns by its very nature discloses only the addition of a recorded audio sample to an individually generated email message. The system disclosed in Enns is of an individual, hand-held device, thus there is no enterprise email server to which an email message is sent. Thus, Enns does not disclose at least an enterprise email server that may attach a predefined footer to all originating email messages prior to their transmission to individual recipients. Therefore, the combination of Uomini, Syroid and Enns does not provide the disclosure necessary to render obvious claims 9, 17 and 42. Accordingly, reconsideration and allowance are respectfully requested.

Regarding claims 10-15, 18-23, and 43-46, these claims each depend from one of independent claims 9, 17 and 42. In view of the above, it is clear that the combination of Uomini, Syroid and Enns fails to establish obviousness of these claims. The defendant claims are, therefore, allowable for at least the reasons shown for claims 9, 17 and 42. Accordingly, reconsideration and allowance are respectfully requested.

Regarding claims 31 and 47, these claims recite at least establishing a default footer, wherein said footer comprises at least a text portion and said predefined default audio sample, and attaching the predefined default footer to an electronic mail document sent from the enterprise electronic mail application to the recipient in claim 31, and sending the email message with the attached predefined default footer to a recipient in claim 47. In order to establish *prima facie* obviousness, the Office Action must establish the presence of each claim feature of in the cited art and provide articulated reasoning with rational underpinning for the obviousness of the combination of claim features and their interrelationship. As shown above, the Office Action seems to assert that the combination of Uomini, Syroid and Enns, in further combination with Fritsch and Kang discloses the features of the above amended claims, however, they does not.

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As shown above, the combination of Uomini, Syroid and Enns does not disclose the generation of a default footer comprising at least a text portion and a pre-determined audio sample, where the default footer is appended to each outgoing email message by an enterprise server. Messages are created by individual users and then sent to an enterprise server for transmission beyond the enterprise. The email message received by the enterprise server thus append the default footer to all messages prior to transmission external to the enterprise for all users within the enterprise. Neither Fritsch, which discloses the direct disclosure for possible purchase of audio products, nor Kang, which discloses a profit-participation scheme for sharing profits on audio products distributed over an Internet system, provide the disclosure to remedy the lack of disclosure for the claims as amended in the combination of Uomini, Syroid and Enns. Therefore, the combination of Uomini, Syroid, Enns, Fritsch, and Kang does not provide the disclosure necessary to render claims 31 and 47 obvious. Reconsideration and allowance of the claims is respectfully requested.

Regarding claims 32-35 and 48-51, these claims are rejected over the combination of Uomini, Syroid, Enns, and Fritsch. However, claims 32-35 and 48-51 each depend from one of claims 31 and 47. As such, the applicants submit that these claims are patentable over the combination of Uomini, Syroid, Enns, and Fritsch for at least the reasons stated above. Accordingly, reconsideration and allowance are respectfully requested.

Concluding Remarks

The undersigned additionally notes that many other distinctions exist between the cited art and the claims. However, in view of the clear distinctions pointed out above, it is submitted that further discussion is unnecessary.

Interview Request

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. If further matters remain to be resolved, the undersigned respectfully requests the courtesy of an interview. The undersigned

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can be reached at the telephone number below.

Respectfully submitted,

/Jerry A. Miller 30779/

Jerry A. Miller
Registration No. 30,779

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Please Send Correspondence to:
Miller Patent Services
2500 Dockry Lane
Raleigh, NC 27606
Phone: (919) 816-9981
Fax: (919) 816-9982
Customer Number 24337

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